

# APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office FEB 11 1992

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed FEB 11 1992

The applicant McGill-Ruth Consolidated Sewer and Water General Improvement District  
P.O. Box 1376 of McGill  
Street and No. or P.O. Box No. City or Town  
Nevada 89318  
State and Zip Code No. hereby make S application for permission to change the  
Point of Diversion

Point of diversion, manner of use, and/or place of use  
 of water heretofore appropriated under Permit No. 50636  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
Identify right in Decree.

- The source of water is Underground Sources  
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 4.0 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Municipal  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Municipal  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 31, T.18 N., R.64 E., M.D.B. & M. whence the Southeast Corner of said Section 31  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.  
bears S.87°48'36"E., 740.41 feet distant.
- The existing permitted point of diversion is located within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 5, T.17N., R. 64 E., M.D.B. & M. whence the Northwest Corner of said Section 5 bears  
If point of diversion is not changed, do not answer.  
N. 89°35'22"W., 868.19 feet distant.
- Proposed place of use the S $\frac{1}{2}$  NE $\frac{1}{4}$ , N $\frac{1}{2}$  SE $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 21; W $\frac{1}{2}$  E $\frac{1}{2}$ , E $\frac{1}{2}$  W $\frac{1}{2}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , W $\frac{1}{2}$  NW $\frac{1}{4}$  of Section 28; SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 29; N $\frac{1}{2}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 33; E $\frac{1}{2}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , S $\frac{1}{2}$  of Section 32; all in T.18 N., R.64 E., M.D.B. & M.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use the S $\frac{1}{2}$  NE $\frac{1}{4}$ , N $\frac{1}{2}$  SE $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 21; W $\frac{1}{2}$  E $\frac{1}{2}$ , E $\frac{1}{2}$  W $\frac{1}{2}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , W $\frac{1}{2}$  NW $\frac{1}{4}$  of Section 28; N $\frac{1}{2}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 33; SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 29; E $\frac{1}{2}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , S $\frac{1}{2}$  of Section 32; all in T.18 N., R.64 E., M.D.B. & M.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) The water will be transferred through a pipeline to the tank site and then piped throughout the proposed place of use.  
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$2,054,000.00
- Estimated time required to construct works ten years

14. Estimated time required to complete the application of water to beneficial use thirty years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

The Applicant proposes to use this application in conjunction with  
Permit No. 43753 to supply municipal water to the McGill Townsite  
at the rate of 950,000 gallons per day, 365 days per year, for a  
total annual consumption of 346.75 million gallons.

By s/ Richard W. Forman  
Richard W. Forman Agent  
P.O. Box 150  
Ely, Nevada 89301

Compared iv/ nsr ap/se

Protested 4/6/92 by: City of Ely, NV:

Pro. wdr. 5-12 92

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 50636 is issued subject to the terms and conditions imposed in said Permit 50636 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 43753 and 57183 shall not exceed 524.79 million gallons annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.0 cubic feet per second, but not to exceed 180.96 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before September 26, 1993

Proof of completion of work shall be filed before October 26, 1993

Application of water to beneficial use shall be made on or before September 26, 1994

Proof of the application of water to beneficial use shall be filed on or before October 26, 1994

Map in support of proof of beneficial use shall be filed on or before N/A

**NOV 24 1993**

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 10th day of July

A.D. 19 92

*[Signature]*  
 State Engineer